

MESSAGE NO: 7032205 MESSAGE DATE: 02/01/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-865

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/31/2005 TO 11/01/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM CHINA FROM BENXI IRON, PANZHIHUA IRON, & WUHAN IRON (A-570-865-003/004/005)

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CASES: A - 570 - 865

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PERIOD COVERED: 10 31 2005 TO 11 01 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM CHINA FROM BENXI IRON, PANZHIHUA IRON, & WUHAN IRON (A-570-865-003/004/005)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE LIQUIDATION AND CASH DEPOSIT RATES FOR FIRMS WITH A NONMARKET ECONOMY SEPARATE RATE, FOR WHICH AN ANTIDUMPING ADMINISTRATIVE REVIEW WAS NOT REQUESTED, WILL NOT BE REVISED FOR

THIS PERIOD. THE FIRMS LISTED BELOW HAVE BOTH A NONMARKET ECONOMY SEPARATE RATE AND ARE NOT SUBJECT TO THE REVIEW FOR THE PERIOD 10/31/2005-11/01/2006. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF DEPARTMENT OF COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE FIRMS LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR THE PERIOD 10/31/2005-11/01/2006
(A-570-865)

LIQUIDATE ALL ENTRIES FOR FIRMS LISTED BELOW:

BENXI IRON AND STEEL GROUP INTERNATIONAL ECONOMIC AND TRADE CO., LTD.; BENGANG STEEL PLATES CO., LTD.; AND BENXI IRON AND STEEL GROUP CO., LTD. A-570-865-003

PANZHIHUA IRON AND STEEL A-570-865-004

WUHAN IRON AND STEEL A-570-865-005

3. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED ABOVE SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING ADMINISTRATIVE REVIEW FOR THE PERIOD 10/31/2005-11/01/2006. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED BY THE UNLISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

DURING THIS PERIOD.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 10/31/2005 THROUGH 11/01/2006 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW (71 FR 77720, 12/27/2006). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT

MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:CB).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party